

### III. REMARKS

Claims 1-21 are pending in this application. By this amendment, claims 1, 8 and 14 have been amended. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Office, as the present claim amendments and cancellations are only for facilitating expeditious prosecution. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 14 and 18-21 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Wu *et al.* (U.S. Patent No. 6,473,558 B1), hereafter "Wu," in view of Seki *et al.* (U.S. Patent No. 7,062,149 B2), hereafter "Seki." Claims 1-13 and 15-17 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Wu in view of Seki and further in view of Kim (U.S. Patent No. 6,466,733 B1), hereafter "Kim."

#### A. REJECTION OF CLAIMS 14 AND 18-21 UNDER 35 U.S.C. §102(e)

With regard to the 35 U.S.C. §103(a) rejection over Wu and Seki, Applicants assert that the references cited by the Office do not teach or suggest each and every feature of the claimed invention. For example, with respect to independent claim 14, Applicants respectfully submit that the cited references fail to teach or suggest that a set of frames of the video stream comprising at least one I frame and at least zero P frames is decoded for trick mode playback to the first buffer and the second buffer in a strictly alternating fashion based on a continuous

swapping of the first address and the second address on a frame by frame basis. The Office admits that Wu does not teach this feature. Instead, the Office relies on a passage of Seki. However, Seki does not teach decoding for trick mode playback on a frame by frame basis, but rather teaches decompressing of data. In contrast, the present invention includes "...wherein a set of frames of the video stream comprising at least one I frame and at least zero P frames is decoded for trick mode playback to the first buffer and the second buffer in a strictly alternating fashion based on a continuous swapping of the first address and the second address on a frame by frame basis." Claim 14. As such, unlike the decompression in Seki, the decoding of the claimed invention is for trick mode playback. Thus, the use of decompression of Seki does not teach or suggest the decoding of the claimed invention. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With respect to dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all dependant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

#### **B. REJECTION OF CLAIMS 1-2 and 8-20 UNDER 35 U.S.C. §103(a)**

With regard to the 35 U.S.C. §103(a) rejection over Wu in view of Seki and Kim, Applicants assert that the combined features of the references cited by the Office fail to teach or suggest each and every feature of the claimed invention. For example, with respect to independent claims 1 and 8, as argued herein with respect to independent claim 14, Applicants

respectfully submit that Wu fails to teach or suggest "...decoding a set of frames of the video stream for trick mode playback to the first buffer and the second buffer in a strictly alternating fashion by continuously swapping the first address and the second address on a frame by frame basis." Kim does not cure this deficiency.

Further, the cited references fail to teach or suggest "...disengaging a frame synchronization signal within the MPEG-2 decoder." The Office admits that Wu does not teach this feature. Instead, the Office relies on a passage of Kim, which the Office states removal of synch bytes from the trick play data. However, as argued previously, these synch bytes are bytes in the data and removed from the data itself and, as such, are not a signal and are not within the MPEG-2 decoder. Conversely, elsewhere Kim specifically teaches that trick play data is recorded according to a track signal. Col. 7, lines 57-65. Thus, Kim does not teach disengaging of a frame synchronization signal within the MPEG-2 decoder. Furthermore, Applicants object to the Office's use of Official Notice here and elsewhere and request that the Office provide references that substantiate its assertions. Accordingly, Applicants respectfully request that the Office's rejection be withdrawn.

With regard to the Office's other arguments regarding dependent claims, Applicants herein incorporate the arguments presented above with respect to independent claims listed above. In addition, Applicants submit that all dependant claims are allowable based on their own distinct features. However, for brevity, Applicants will forego addressing each of these rejections individually, but reserve the right to do so should it become necessary. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With regard to the 35 U.S.C. §103(a) rejections over Wu and Kim and further in view of Official Notice, Applicants asserts that the Office's multiple factual assertions are not properly based upon common knowledge. Accordingly, Applicants respectfully request that the Office support the finding with references that show these features.

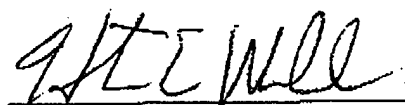
#### IV. CONCLUSION

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

Date: December 11, 2007



Hunter E. Webb

Reg. No.: 54,593

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14<sup>th</sup> Floor  
Albany, New York 12207  
(518) 449-0044  
(518) 449-0047 (fax)

RAD/hew